

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

ZOROASTRIAN CENTER AND
DARB-E-MEHR OF METROPOLITAN
WASHINGTON, D.C.,
Plaintiff,

v.

Civil No. 1:13cv980 (LO/TRJ)

RUSTAM GUIV FOUNDATION, *et al.*,
Defendant -
Counterclaim-Plaintiff.

ORDER

The Court has under advisement the issue of whether and how much to award in counsel fees regarding Defendant's motion to compel (ECF No. 126) which the Court granted on January 16, 2015.

Upon consideration of Defendant's counsel's affidavit and billing statement (ECF No. 131) and Plaintiff's memorandum in opposition (ECF No. 132), the Court finds as follows.


Plaintiff's counsel's actions in claiming lack of service, moving to quash, failure to have Plaintiff appear for deposition, and resisting the motion to compel were completely unjustified. The time spent and rates charged by Defendant's attorneys were reasonable, and the work was necessary. A fee award is appropriate.

Upon examination of the bills submitted, the Court finds that work for which \$2001.00 was billed would have been needed for the deposition in any event. Deducting that amount from the billed amount, the Court finds that Plaintiff and Plaintiff's counsel should be required to reimburse Defendant in the amount of \$8,058.50. They shall do so by payment to Defendant's

counsel within 21 days.

It is so ORDERED.

Let the Clerk file this Order electronically and notify all counsel accordingly.



Thomas Rawles Jones, Jr.
United States Magistrate Judge

Richmond, Virginia
Date: March 13, 2015